

# ORDINANCE NO. 16

## Street Labor

Be it ordained by the Board of Trustees of the Town of Tucumcari:

Section 1. All able bodied male persons between the ages of twenty-one and sixty years, residing within the incorporated Town of Tucumcari, New Mexico, shall be subject to street duty, performable by work and labor upon the streets, alleys and public grounds within the limits of the Town of Tucumcari for three days in every calendar year. Such work and labor to be performed under the supervision of the Street Commissioner or some one appointed by him to supervise the work.

Section 11. For the purposes mentioned in the preceeding section the residence of any person having a family shall be held to be where his family resides and that of any other person where he boards, or is most frequently found.

Section 111. All persons claiming exemption from street labor in the said town of Tucumcari by reason of not being able bodied, shall present to the Street Commissioner a certificate from a reputable physician stating that said physician has examined said person and found him not to be an able bodied person.

Section 1v. Every person subject to street duty shall, when so required, furnish his own tools with which to perform such work.

Section v. Any person required by the provisions of Section One, supra, shall have at least three days' notice of the time and place he is required to appear, and work, and the kind of tools, if any, he is required to bring.

Section vi. The notice required by the preceding section shall be written or printed and given in person by the Street Commissioner or some other person legally deputized by him, or by leaving the said written or printed notice at the usual place of abode of the person to be notified.

Section vii. Any person notified or warned to perform the duties required in Section One, supra, who shall, on or before the day he is notified to appear and work, pay the Street Commissioner the sum of THREE (\$3.00) DOLLARS, or he shall furnish an able substitute to the acceptance of the Street Commissioner or the person appointed by him to supervise the work, which substitute shall perform the work required of his principal, shall be entitled to the credit for the time he has so paid during which his substitute has performed the duties so required.

Section viii. Whenever it shall happen in consequence of sickness, unavoidable absence or accident, that any person is necessarily prevented from performing the duties required of Section One, after having been lawfully notified, such person shall be notified again to perform such duties and shall be required to perform the same.

Section ix. If any person subject to street duty, after having a notice hereinbefore required to perform labor on the

streets, alleys and public grounds of the Town, shall fail to perform such work, and shall fail or refuse to pay for the time he is so notified to work, or to furnish a substitute to the acceptance of the Street Commissioner or the person in charge of such work; or any person shall after he has appeared, neglected or refused to obey the directions of the Street Commissioner or such other person in charge of such work, or shall spend his time in idleness or in inattention to the duties assigned him, or shall conduct himself so as to disturb, annoy or hinder others at work, he shall, upon conviction be fined in any sum not less than TEN (\$10.00) DOLLARS nor more than TWENTY-FIVE (\$25.00) DOLLARS.

Section X. Any person who shall be fined under provisions of Section Nine, supra, and who shall not pay and secure the fine and costs of prosecution, immediately upon the rendition of judgment shall be committed to the custody of the Street Commissioner and work on the streets, alleys and public grounds until such fine and costs are paid at the rate of \$1.00 per day; and if any person refuses to work as provided in this section he shall be placed on bread and water diet and required to wear ball and chain on the streets of said Town.

Section XI. It shall be the duty of the Street Commissioner to report all delinquents or persons who fail to perform the duties required to be performed by Section One, supra, to the Chairman of the Board of Trustees of said Town under oath, at the first meeting of the Board of Trustees in each and every month and to immediately turn over all moneys collected under the provisions of this ordinance to the Town Treasurer and take his receipt therefor within twenty-four hours after the same has been collected.

Passed this 22nd day of January, A. D. 1907.

Approved this 22nd day of Jan., A. D. 1907.

JOHN J. PACE.

Chairman of the Board of Trustees of the Town of Tucumcari,

Attest: ROBERT S. COULTER,  
Town Clerk.

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